

DEC 10 2004

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Kristin A. Linn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re the Application of: **Masatoshi Takami**Group Art Unit: **2815**Serial No.: **10/781,811**Examiner: **N. Drew Richards**Filed: **February 20, 2004**Confirmation No.: **3939**For: **SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING
THE SAME**Attorney Docket No.: **042123**Customer Number: **38834****RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

December 10, 2004

Sir:

This paper is submitted in response to the Official Action dated November 17, 2004.

In the Action, restriction is required between Group (I), Claims 1 - 15 and Group (II), Claims 16 - 20.

Applicants hereby elect, without traverse, the subject matter of Group (I), Claims 1 - 15 for prosecution in this application. The Applicant retains its rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121.

Application No.: 10/781,811

Response to Restriction Requirement dated December 10, 2004

Reply to the Restriction Requirement of November 17, 2004

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully Submitted,

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